# EX PARTE OR LATE FILED

## DOCKET FILE COPY OFFICINA

### FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON D.C. 20554

5 NOV 1993

IN REPLY REFER TO:

93-253

RECEIVED

NOV 11 6 1993

CN9304147

Honorable Alfonse M. D'Amato United States Senate 520 Hart Senate Office Bldg. Washington, DC 20510-3202

FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY

Dear Senator D'Amato:

This responds to your letter of October 5, 1993, addressing the 2 GHz Personal Communications Services (PCS) proceeding, GEN Docket No. 90-314. Your constituent, Robert W. Zinnecker, Executive Vice President of New York State Telephone Association, Inc., expresses support for a PCS licensing structure that permits rural telephone systems to provide PCS in their own service area.

On September 23, 1993, the Commission adopted final rules to govern PCS as well as a Notice of Proposed Rule Making seeking comment on competitive bidding rules proposed to be used to select PCS licensees. The Commission allocated a total of 120 megahertz of spectrum for licensed PCS and permitted telephone companies without cellular interests to aggregate up to 40 megahertz of this spectrum (the maximum authorized any licensee). Telephone companies with cellular interests may acquire 10 megahertz in a PCS service area in which they own twenty or more percent of a cellular company, if the cellular company serves 10 or more percent of the population of the PCS service area. Local exchange carriers are permitted to apply for PCS licenses on the same basis as other applicants, except insofar as they hold interests in cellular operations.

The Commission adopted 492 local service areas based on Basic Trading Areas (BTAs) and 51 regional service areas based on Major Trading Areas (MTAs). The 120 megahertz is divided into two 30 megahertz MTA blocks, one 20 megahertz BTA block, and four 10 megahertz BTA blocks. In the companion Notice of Proposed Rule Making, PP Docket No. 93-253, the Commission proposed licensing preferences in one 20 megahertz and one 10 megahertz frequency block for rural telephone companies, small businesses, and businesses owned by minorities and women.

No. of Copies rec'd 2 (ap 1) S List ABCDE The Commission's decisions addressing PCS are designed to foster competition among PCS providers and between PCS providers and cellular radio operators and to ensure expeditious provision of PCS in both urban and rural areas. I am enclosing the press releases for the dockets addressed above that more fully describe the Commission's actions.

Sincerely,

Bruce Franca

Thomas P. Stanley

Chief Engineer

Enclosures

United States Senate

WASHINGTON, DC 20510-3202

October 5, 1993

LEO O'BRIEN OFFICE BUILDING ROOM 420 ALBANY, NY. 12207 (518) 472-4343

4141

Congressional Liaison
Federal Communications Commission
2025 M Street, NW
Room 6202
Washington, D.C. 20554

Dear Director:

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

PLEASE TRY TO RESPOND WITHIN 4 WEEKS OF YOUR RECEIPT OF THIS REQUEST. YOUR FINDINGS AND VIEWS, IN DUPLICATE, ALONG WITH RETURN OF THIS MEMO PLUS ENCLOSURE, WILL BE APPRECIATED.

Many thanks.

Sincerely,

Alfonse M. D'Amato United States Senator

AD:amr

September 1, 1993

Senator Alfonse D'Amato UNITED STATES SENATE Hart Senate Office Building Room 520

ROBERT W. ZINNECKER

Washington, DC 20510

Executive Vice-Pres.

#### **OFFICERS**

DOUGLAS G. HINKLEY President Margaretville PAUL R. ZIELINSKI Vice President

Rochester

PETER G. NIXON Treasurer ROBERT C. WRIGHTER Sec.-Asst. Treasurer

#### **DIRECTORS**

LORINDA ACKLEY

ROBERT T. ANDERSON

GERALD R. FORCIER Westport

ROBERT H. GRISWOLD

DOUGLAS G. HINKLEY

J. MICHAEL JOHNSON

BRIAN F. KELLY

PATRICIA L. KNAPP

BRIAN W. McCORMICK

PETER G. NIXON

WAYNES, THOMAS

ROBERT C. WRIGHTER PAUL R. ZIĘLINSKI

Rochester

#### **Executive Committee** LORINDA ACKLEY

ROBERT T. ANDERSON New York

ROBERT H. GRISWOLD Pheips

DOUGLAS G. HINKLEY Margaretville

Ex-Officio PETER G. NIXON

Westfield ROBERT C. WRIGHTER Hancock RWZ/ldl

PAUL R. ZIELINSKI

Rochester

Dear Senator D'Amato:

The purpose of this letter is to ask you to contact the Federal Communications Commission's Chairman, James H. Quello, and Commissioners Andrew C. Barrett and Ervin S. Duggan to encourage Westfield them to fully achieve the objectives of the recently passed Budget Reconciliation Law by ensuring that small and rural telephone Hancock systems are able to provide new services such as PCS under an auction regime.

Chatham As you know, the New York State Telephone Association represents 40 New York local exchange telephone companies throughout the State of New York. Over half of these companies are small, family owned business Deposit enterprises.

Our member companies are best suited to assure that new services and Phelps technologies reach the rural subscribers that they serve. They have Margaretville a proven track record of delivering state-of-the-art technology to Jamestown their subscribers in rural America. Most of our member companies are 100% digital and all companies will be switched to digital by Kinderhook 1995. In addition, the number of miles of fiber optic cable in Crown Point place by our member companies will increase to a total of over one-Albany half billion wire miles of fiber cable in this state by 1995.

Westlield The Budget Reconciliation Law requires the FCC to ensure new Rotterdam Junction technologies are rapidly deployed in rural areas. It also requires that licenses be distributed to a wide variety of applicants, Hancock including rural telephone companies.

Please urge the FCC to ensure that rural telephone companies, such as our member companies, are given the opportunity to continue their Chatham record of delivering state-of-the-art services to their customers.

Sincerely,

Robert W. Zinnecker

Executive Vice President



## NICHOLVILLE TELEPHONE COMPANY, INC.

August 31, 1993

Senator Alfonse M D'Amato Room 520 Senate Hart Building 2nd and C Streets, NE Washington, DC 20510

Dear Senator D'Amato:

I am writing to ask you to contact Federal Communication Commission Chairman James H. Quello and Commissioners Andrew C. Barrett and Ervin S. Duggan strongly encouraging them to fully achieve the objectives of the recently passed budget reconciliation law by ensuring the small and rural telephone systems are able to provide new services, such as PCS, under an auction regime.

The budget reconciliation law requires the FCC to ensure new technologies are rapidly deployed in rural area. It also requires that licenses be ditributed to a wide variety of applicants, including rural telephone companies.

Small and rural telephone systems are best situated to assure new services and technologies reach rural subcribers. They have proven track record of delivering state-of-the-art technologies to their subcribers in rural America. Please urge the FCC to ensure that we can continue to do so.

Sincerely,

Donald W Gruneisen

President

September 3, 1993

The Honorable Alfonse M. D'Amato United State Senate 2nd & C Streets, N.E. Hart Building Room 520 Washington, DC 20510

Dear Senator D'Amato,

I am writing to ask you to contact Federal Communications Commission Chairman James H. Quello and Commissioners Andrew C. Barrett and Ervin S. Duggan strongly encouraging them to fully achieve the objectives of the recently passed budget reconciliation law by ensuring that small and rural telephone systems are able to provide new services, such as PCS, under an auction regime.

The budget reconciliation law requires the FCC to ensure new technologies are rapidly deployed in rural area. It also requires that licenses be distributed to a wide variety of applicants, including rural telephone companies.

Small and rural telephone systems, like Germantown Telephone Company, are best situated to assure new services and technologies reach rural subscribers. They have a proven track record of delivering state-of-the-art technologies to their subscribers in rural America. Please urge the FCC to ensure that we can continue to do so.

Singerel/

Bruce C. Bohnsack



P.O. Box B, 47-49 Main Street Warwick, New York 10990-0502 (914) 986-1101

September 17, 1993

The Honorable Alfonse D'Amato United States Senate Washington, D.C. 20510

Dear Senator D'Amato:

The Federal Communication Commission (FCC) will soon render its decision establishing the licensing provisions for new Personal Communications Services (PCS). That decision will determine the future development and the market structure of this new service which I expect to play an important role in the future of American telephone service by adding flexibility, mobility and lower costs.

The Warwick Valley Telephone Company is a local exchange carrier serving 18,000 customers in Orange County New York and Northern New Jersey. We have been providing telephone service for over ninety years through evolutionary and revolutionary changes in technology; from manual to rotary dial to touch-tone to digital switching and from open wire to cable to fiber optic and cellular transmission. Throughout these changes we have continued to provide modern telephone service to our customers. PSC is a new technology that can enable us to again increase the capabilities of telephone service; we need to adapt that technology to our market just as we have adapted the previous new technologies.

Small telephone companies such as ours can be lost in the struggles of the giants. I believe we can only have the opportunity to provide PCS to our customers by participating in a national consortium which obtains a national license and then develops a system with local operators. We support, and I urge you to support national licensing of PCS by the FCC.

Very truly yours,

League